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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/089,154	03/27/2002	Masayoshi Suzuki	221290USOPCT	9807

22850 7590 07/16/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

CHU, JOHN S Y

ART UNIT

PAPER NUMBER

1752

DATE MAILED: 07/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/089,154

Applicant(s)

SUZUKI ET AL.

Examiner

John S. Chu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 8 and 11-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8 and 11-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

This Office action is in response to the amendment filed June 23, 2003.

1. The rejection under 35 U.S.C. 102(b) as anticipated by JP-59-184337 (TAKEMOTO et al) is **withdrawn** in view of the amendment by applicants to claim 1.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 8, 12, 14, 16-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by USHIROGOUCHI et al or SPAK et al.

The claimed invention is now drawn to a radiation sensitive resin composition, comprising an alkali-soluble resin having no epoxy group, a 1,2-quinonediazide compound, and at least one compound selected from the group consisting of a melamine compound and an epoxy compound.

USHIROGOUCHI et al anticipates the claimed invention at Examples 4 and 5 wherein the composition discloses an alkali-soluble resin, a quinonediazide compound and a crosslinking agent, such as a melamine compound.

SPAK et al '456 anticipates the claimed invention at Examples 4-7 for the claimed alkali-soluble resin not having an epoxy group, a quinonediazide compound and a melamine compound.

4. Claims 6, 11, 13 and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by SPAK et al.

The claimed invention is drawn to a radiation sensitive resin composition, comprising (a') an alkali-soluble resin having an epoxy group, and (B) a 1,2-quinonediazide compound.

SPAK et al anticipates the claimed invention at Example 12 by disclosing an epoxy novolak resin and a quinonediazide compound see column 16, line 57 – column 17, line 25. The examiner notes the claimed preamble for an insulating film for an organic EL display element in claims 11, the method of producing an insulating film of claim 13 and the organic EL display element of claim 15. However the preamble is not given weight as to impart life, meaning and vitality to the claim by failing to recite specified features unique to an EL display, specific steps for a method of making an EL display and the additional features to an EL display having an insulating layer. In each claim the coating of a photoresist on a substrate meets the claimed invention as recited above.

5. Claims 6, 11, 13 and 15 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by NISHIMURA et al.

The claimed invention has been recited above and is included by reference.

NISHIMURA et al anticipates the claimed invention at Examples 1-5 wherein a copolymer comprising an epoxy group is present along with a 1,2-quinonediazide compound, see

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column 15, line 15 – column 16, line 41 for the Examples and Synthesis Examples 1-5 for the copolymer resin having the a β -methylglycidylmethacrylate comonomer in the copolymer.

6. Claims 1-4, 6-8, 11-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by SHIMOKAWA et al.

The claimed invention has been recited above and is included by reference.

SHIMOKAWA et al anticipates the claimed invention at Examples 1-14, column 19, line 15 – column 20, line 68, Table 1 wherein a composition comprising an alkali-soluble resin made from unsaturated monomers with an epoxy group (Resin 5) and a resin lacking an epoxy group (Resin 1), 1,2-quinonediazide, an epoxy compound which meets claim 1. Because the claims use “comprising” language, the composition of SHIMOKAWA et al meets the recited scope as claimed.

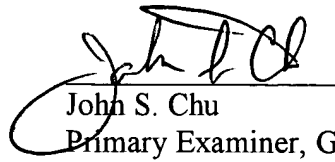
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. TAKAHASHI et al, YASUDA et al and BLAKENEY et al are cited of interest by disclosing the use of X-linking agents in the compositions having a quinonediazide compound..

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (703) 308-2298. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

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The fax phone number for this Group is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.



John S. Chu
Primary Examiner, Group 1700

J.Chu
July 10, 2003